

**REMARKS**

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 1 and 7 have been amended. Claims 14-17 have been cancelled. Claims 1-4 and 7-10 are pending and under consideration.

**I. Rejections under 35 U.S.C. § 112**

On pages 2-3 of the Office Action, claims 1-4, 7-10, and 14-17 were rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite.

Independent claims 1 and 7 have been amended in response to these rejections and claims 2-4 and 8-10 depend therefrom. Claims 14-17 have been cancelled. Accordingly, withdrawal of the § 112 rejections is respectfully requested.

**II. Rejections under 35 U.S.C. § 103**

In the Office Action, at pages 3-4, claims 1-2, 4, 7-8, and 10 were rejected under 35 USC § 103(a) as being unpatentable over Tagar et al. (U.S. Patent Application No. 2004/0208608).

Tagar et al. does not discuss or suggest:

the system transmits both an optical signal whose bit rate per wavelength is 10 Gbps and an optical signal whose bit rate per wavelength is 40 Gbps, and

40 Gbps optical signals are sent between the transmitting end station and the second optical repeater node, between adjacent second optical repeater nodes, or between the second optical repeater node and a receiving end station,

as recited in amended claim 1. In other words, the wavelength dispersion compensation system of claim 1 provides for transmitting both an optical signal whose bit rate per wavelength is 10 Gbps and an optical signal whose bit rate per wavelength is 40 Gbps. Furthermore, the wavelength dispersion compensation system of claim 1 provides that 40 Gbps optical signals are sent between the transmitting end station and the second optical repeater node, between adjacent second optical repeater nodes, or between the second optical repeater node and a receiving end station. These features are not disclosed in Tagar et al. Also, none of the other cited prior art, including Zhou and Tsuritani et al., make up for these deficiencies in Tagar et al. with respect to claim 1.

Since the cited prior art references, alone or in combination, do not discuss or suggest all of the features of claim 1, claim 1 distinguishes over the cited prior art. Accordingly, withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2 and 4 depend directly from claim 1, and include all the features of claim 1, plus additional patentable features that are not discussed or suggested by the cited prior art. Therefore, claims 2 and 4 patentably distinguish over the cited prior art for at least the reasons noted above. Accordingly, withdrawal of the rejection of claims 2 and 4 is respectfully requested.

None of the cited prior art, alone or in combination, discusses or suggests:

the system transmits both an optical signal whose bit rate per wavelength is 10 Gbps and an optical signal whose bit rate per wavelength is 40 Gbps, and

40 Gbps optical signals are sent between the transmitting end station and the second optical repeater node, between adjacent second optical repeater nodes, or between the second optical repeater node and a receiving end station,

as recited in amended claim 7, so that claim 7 distinguishes over the cited prior art. Accordingly, withdrawal of the rejection of claim 7 is respectfully requested.

Claims 8 and 10 depend directly from claim 7, and include all the features of claim 7, plus additional patentable features that are not discussed or suggested by the cited prior art. Therefore, claims 8 and 10 patentably distinguish over the cited prior art for at least the reasons noted above. Accordingly, withdrawal of the rejection of claims 8 and 10 is respectfully requested.

In the Office Action, at pages 4-5, claims 3 and 9 were rejected under 35 USC § 103(a) as being unpatentable over Tagar et al. in view of Tsuritani et al. (U.S. Patent No. 6,768,872).

As discussed above, Tagar et al. does not discuss or suggest all of the features of independent claims 1 and 7. Tsuritani et al. fails to make up for these deficiencies, such that claims 1 and 7 each patentably distinguish over the cited prior art. Claims 3 and 9 depend directly from claims 1 and 7, respectively, and include all the features of claims 1 and 7, respectively, plus additional patentable features that are not discussed or suggested by the references relied upon. Therefore, claims 3 and 9 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the rejection of claims 3 and 9 is respectfully requested.

In the Office Action, at pages 5-6, claims 14-17 were rejected under 35 USC § 103(a) as being unpatentable over Tagar et al. in view of Zhou (U.S. Patent Application No. 2003/0219198).

Claims 14-17 have been cancelled. Accordingly, withdrawal of these rejections is respectfully requested.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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